

LAGOMARSINO LAW

ANDRE M. LAGOMARSINO, ESQ. (#6711)

TAYLOR N. JORGENSEN, ESQ. (#16259)

3005 W. Horizon Ridge Pkwy., #241

Henderson, Nevada 89052

Telephone: (702) 383-2864

Facsimile: (702) 383-0065

*Attorneys for Plaintiff***UNITED STATES DISTRICT COURT****DISTRICT OF NEVADA**

JUSTYN HORNOR, individually,

Plaintiff,

vs.

BRANDON WEY, individually; REFLEX
MEDIA, INC, a Nevada Corporation; ROE
ENTITIES I – V, inclusive,

Defendants.

AND ALL RELATED CLAIMS.

CASE NO.: 2:22-cv-1840 -RFB-DJA

**STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINES****(SECOND REQUEST)**

IT IS HEREBY STIPULATED AND AGREED between the parties and their undersigned attorneys that the discovery cut-off date of December 7, 2023, be continued for a period of ninety (90) days from the Court's prior Order (ECF No. 25), up to and including **March 6, 2024**, for the purpose of allowing the parties to complete written discovery, complete the depositions of the remaining parties, experts, and lay witnesses, and any other discovery the parties wish to conduct.

I. DISCOVERY COMPLETED TO DATE

- Plaintiff and Defendants have engaged in a significant amount of written discovery requests, the most recent of which was Defendant Reflex Media's Responses to Plaintiff's Fifth Set of Requests for Production on July 21, 2023.
- Plaintiff has conducted several depositions, including those of Heather Pressley, Wade Jones, Ulysses Diaz, Ruben Buell, Lordmichael Bautista, and Marc Hall.

II. DISCOVERY YET TO BE COMPLETED

The Parties have yet to complete the following discovery (individual or 30(b)(6) designees);

- the depositions of the remaining named parties;

- the depositions of fact witnesses;
- subpoenas *duces tecum* and the depositions of third-party percipient witnesses;
- expert witness disclosures and expert witness depositions;
- additional written discovery which may include written discovery to one another and/or additional subpoenas to third parties; and
- any additional discovery the parties wish to conduct.

The Parties reserve the right to conduct additional discovery that is permitted by the Federal Rules of Civil Procedure.

III. REASONS WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

While the parties have been diligent in conducting discovery in this matter, the following issues have been unavoidable:

Plaintiff's counsel is scheduled to be in trial in The Superior Court of Los Angeles from August 1, 2023 through August 31, 2023. Immediately following that trial, Plaintiff's counsel must prepare for a trial beginning September 12, 2023 and spanning up to two weeks. As scheduled, the initial expert disclosure deadline is currently October 8, 2023. Due to Plaintiff's counsel's trial schedule, this does not leave enough time to hold depositions for the named parties before the expert disclosure deadline. In addition, Defendants are still waiting for additional medical records from Plaintiff and for a decision from the Court on Plaintiff's Emergency Motion for Protective Order (*see* ECF 27, which stayed certain third-party discovery efforts by Defendants). If that motion is denied, Defendants will need to serve several additional third-party subpoenas to obtain medical records regarding Plaintiff's relevant preexisting conditions. Defendants do not believe enough time remains under the existing schedule to obtain copies of the medical records concerning Plaintiff's preexisting conditions to request, schedule, and perform an independent medical evaluation before the existing expert disclosure deadlines.

IV. ~~PROPOSED~~ EXTENDED DEADLINES

	<u>Current</u>	<u>Proposed</u>
Discovery cut-off	12/7/23	Wednesday, March 6, 2024

Deadline to amend pleadings and add parties	9/11/23	Monday, December 11, 2023 ¹
Deadline for initial expert disclosures	10/8/23	Monday, January 8, 2024 ²
Deadline for rebuttal expert disclosures	11/2/23	Monday, February 5, 2024
Deadline to file dispositive motions	1/7/24	Monday, April 8, 2024 ³
Deadline to file pre-trial order	2/6/24	Monday May 6, 2024 or 30 days after the dispositive motions have been decided.

This request for an extension is made in good faith and joined by all the parties in this case. The Request is timely pursuant to LR 26-3. Trial is not yet set in this matter and dispositive motions have not yet been filed. Accordingly, this extension will not delay this case. Since this request is a joint request, no party will be prejudiced. The extension will allow the parties the necessary time to complete discovery.

IT IS SO STIPULATED AND AGREED.

DATED this 1st day of August, 2023.

DATED this 1st day of August, 2023.

LAGOMARSINO LAW

SF FIRM, LLP

/s/ Taylor Jorgensen

/s/ Jacob Fonnesebeck

ANDRE M. LAGOMARSINO, ESQ. (#6711)
TAYLOR N. JORGENSEN, ESQ. (#16259)
3005 W. Horizon Ridge Pkwy., #241
Henderson, Nevada 89052
Attorneys for Plaintiff

MARK L. SMITH (#14762)
JACOB L. FONNESBECK (#11961)
6345 South Pecos Road, Suite 202
Las Vegas, Nevada 89120
Attorneys for Defendants

IT IS SO ORDERED.

DATED: 8/2/2023

By: 

DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

¹ The extended deadline originally falls on Sunday, December 10, 2023. Pursuant to FRCP 6(a), this deadline extends to the next court day, Monday, December 11, 2023.

² The extended deadline originally falls on Saturday, January 6, 2024. Pursuant to FRCP 6(a), this deadline extends to the next court day, Monday, January 8, 2024.

³ The extended deadline originally falls on Saturday, April 6, 2024. Pursuant to FRCP 6(a), this deadline extends to the next court day, Monday, April 8, 2023.